

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-33 are pending in the present application with claims 1, 13, 24, 29 and 30 having been amended by the present amendment.

In the outstanding Office Action, claims 1, 2, 13, 21, 23 and 30 were rejected under 35 U.S.C. § 102(b) as unpatentable over Clarke et al.; claims 3-5, 22, 24-29 and 31-33 were rejected under 35 U.S.C. § 103(a) as unpatentable over Clarke et al. in view of the Telecommunications Standard ITU-T/Q 704; and claims 6-12 and 14-20 were indicated as allowable if rewritten in independent form.

Applicant thanks the Examiner for the indication of allowable subject matter.

The present invention currently includes independent claims 1, 13, 24, 29 and 30. For example, amended independent claim 1 is directed to a method of processing congestion conditions of a MTP user part in a SS7 network including defining a user part congested (UPC) message that indicates when congestion has occurred in a MTP user part of a destination signaling point, and MTP_STATUS primitive to reduce a number of the signaling messages to be transmitted to the congested MTP user part. The method also includes generating the UPC message in the destination signaling point, and transmitting the generated UPC message to an originating signaling point of the signaling message when a

MTP of the destination signaling point recognizes congestion conditions of the MTP user part of the destination signaling point, and generating the MTP_STATUS primitive, and transmitting the generated MTP_STATUS primitive to a MTP user part of the originating signaling point to request the MTP user part of the originating signaling point reduce the number of the signaling messages to be transmitted to the congested MTP user part of the destination signaling point. Independent claims 13, 24, 29 and 30 include similar features in a varying scope.

The Office Action applies Figures 4-7 of Clarke et al. as disclosing message interceptors 52s, which protect the SCP 50 from overload. However, it is respectfully noted the message interceptors 52 are interposed on links of the communication network (see, for example, links 51A, 51B, etc.). This differs from the present invention in which a UPC message is generated in the destination signaling point. Thus, with respect to the non-limiting example of Figure 1 of the present invention, for example, if the originating point was Node B and the destination point was Node F, a UPC message would be generated in the destination point F and transmitted to the origination point B.

On the contrary, in Clarke et al., the message interceptors are disposed in the branches. With reference to Figure 1 of the present invention, having congestion in a link between Nodes A and E does not necessarily indicate congestion in the destination Node F. Thus, the congestion in the Node F would continue using the link interceptors disclosed in

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Clarke et al. The additional publication applied in the Office Action also does not teach or suggest these features.

Accordingly, it is respectfully submitted independent claims 1, 13, 24, 29 and 30 and each of the claims depending therefrom are allowable and the rejections noted in the Office Action have been overcome.

Further, the specification has been amended to correct a minor informality. No new matter has been added.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **David A. Bilodeau**, at the telephone number listed below.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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